

the determinations required by § 215.9 of this part.

(b) Each person designated under this section shall have demonstrated to the railroad a knowledge and ability to inspect railroad freight cars for compliance with the requirements of this part and to make the determinations required by § 215.9 of this part.

(c) With respect to designations under this section, each railroad shall maintain written records of:

- (1) Each designation in effect; and
- (2) The basis for each designation.

[45 FR 26710, Apr. 21, 1980]

#### § 215.13 Pre-departure inspection.

(a) At each location where a freight car is placed in a train, the freight car shall be inspected before the train departs. This inspection may be made before or after the car is placed in the train.

(b) At a location where an inspector designated under § 215.11 is on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a) of this section shall be made by that inspector to determine whether the car is in compliance with this part.

(c) At a location where a person designated under § 215.11 is not on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a) shall, as a minimum, be made for those conditions set forth in appendix D to this part.

(d) Performance of the inspection prescribed by this section does not relieve a railroad of its liability under § 215.7 for failure to comply with any other provision of this part.

[45 FR 26710, Apr. 21, 1980]

#### § 215.15 Periodic inspection.

(a) After June 30, 1980, a railroad may not place or continue in service a freight car that has not received an initial periodic inspection in accordance with 49 CFR 215.25, as in effect on October 6, 1976 (41 FR 44044), unless—

- (1) The car is a high utilization car built or reconditioned after December 31, 1977; or
- (2) The car is a non-high utilization car built or reconditioned after December 31, 1971.

(b) A freight car that has received an initial periodic inspection under paragraph (a) of this section shall be stenciled to so indicate in accordance with 49 CFR 215.11 and appendix C of this part, as in effect on October 6, 1976 (41 FR 44044). This stenciling need not be retained on the car after June 30, 1981.

(c) As used in this section, "high utilization car" means a car—

- (1) Specifically equipped to carry trucks, automobiles, containers, trailers, or removable trailer bodies for the transportation of freight; or
- (2) Assigned to a train that operates in a continuous round trip cycle between the same two points.

### Subpart B—Freight Car Components

#### § 215.101 Scope.

This subpart contains safety requirements prohibiting a railroad from placing or continuing in service a freight car that has certain defective components.

#### SUSPENSION SYSTEM

#### § 215.103 Defective wheel.

A railroad may not place or continue in service a car, if—

- (a) A wheel flange on the car is worn to a thickness of  $\frac{7}{8}$  of an inch, or less, at a point  $\frac{3}{8}$  of an inch above the tread of the wheel;
- (b) The height of a wheel flange on the car, from the tread to the top of the flange, is  $1\frac{1}{2}$  inches, or more;
- (c) The thickness of a rim of a wheel on the car is  $\frac{11}{16}$  of an inch, or less;
- (d) A wheel rim, flange, plate, or hub area on the car has a crack or break;
- (e) A wheel on the car has a chip or gouge in the flange that is  $1\frac{1}{2}$  inches in length and  $\frac{1}{2}$  inch in width, or more;
- (f) A wheel on the car has—
  - (1) A slid flat or shelled spot that is more than  $2\frac{1}{2}$  inches in length; or
  - (2) Two adjoining flat or shelled spots each of which is more than two inches in length;
- (g) A wheel on the car shows evidence of being loose such as oil seepage on the back hub or back plate;
- (h) A wheel on the car shows signs of having been overheated as evidenced by a reddish brown discoloration, to a